# **HOUSE BILL No. 1263**

### DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-9-2.5.

**Synopsis:** Vanderburgh County innkeepers tax. Raises the cap on the Vanderburgh County innkeepers' tax from 6% to 8%. Requires the revenue from the increase in the cap to be deposited in the county tourism capital improvement fund.

Effective: July 1, 2007.

# Avery, Welch

January 11, 2007, read first time and referred to Committee on Ways and Means.



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#### First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in this style type.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in this style type. Also, the word NEW will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in this style type or this style type reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

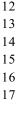
## **HOUSE BILL No. 1263**

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 6-9-2.5-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6. (a) The county council may levy tax on every person engaged in the business of renting or furnishing, for periods of less than thirty (30) days, any room or rooms, lodgings, or accommodations in any commercial hotel, motel, inn, tourist camp, or tourist cabin located in a county described in section 1 of this chapter. Such tax shall not exceed the rate of six eight percent (6%) (8%) on the gross income derived from lodging income only and shall be in addition to the state gross retail tax imposed on such persons by IC 6-2.5.

(b) The county fiscal body may adopt an ordinance to require that the tax be reported on forms approved by the county treasurer and that the tax shall be paid monthly to the county treasurer. If such an ordinance is adopted, the tax shall be paid to the county treasurer not more than twenty (20) days after the end of the month the tax is collected. If such an ordinance is not adopted, the tax shall be imposed, paid, and collected in exactly the same manner as the state gross retail



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	is imposed, paid, and collected pursuant to IC 6-2.5.
(	(c) All of the provisions of IC 6-2.5 relating to rights, duties,
liab	pilities, procedures, penalties, definitions, exemptions, and
adn	ninistration shall be applicable to the imposition and administration
of t	he tax imposed by this section except to the extent such provisions
are	in conflict or inconsistent with the specific provisions of this
cha	pter or the requirements of the county treasurer. Specifically and not
in 1	imitation of the foregoing sentence, the terms "person" and "gross
ince	ome" shall have the same meaning in this section as they have in
IC	6-2.5. If the tax is paid to the department of state revenue, the
retu	arns to be filed for the payment of the tax under this section may be
eith	er a separate return or may be combined with the return filed for the
pay	ment of the state gross retail tax as the department of state revenue
ma	y, by rule or regulation, determine.
(	(d) If the tax is paid to the department of state revenue, the amounts
rece	eived from such tax shall be paid quarterly by the treasurer of state
to t	he county treasurer upon warrants issued by the auditor of state.
(	(e) The tax imposed under subsection (a) does not apply to the
ren	ting or furnishing of rooms, lodgings, or accommodations to a
per	son for a period of thirty (30) days or more.
;	SECTION 2. IC 6-9-2.5-7.5, AS AMENDED BY P.L.168-2005,
SEC	CTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JUI	LY 1, 2007]: Sec. 7.5. (a) The county treasurer shall establish a
tou	rism capital improvement fund.
(	(b) The county treasurer shall deposit money in the tourism capital
imp	provement fund as follows:
	(1) Before January 1, 2000, if the rate set under section 6 of this
	chapter is greater than two percent (2%), the county treasurer
	shall deposit in the tourism capital improvement fund an amount
	equal to the money received under section 6 of this chapter minus
	the amount generated by a two percent (2%) rate.
	(2) After December 31, 1999, and before January 1, 2003, the
	county treasurer shall deposit in the tourism capital improvement
	fund the amount of money received under section 6 of this chapter
	that is generated by a one percent (1%) rate.
	(3) (1) After December 31, 2002, and Before January 1, 2010, the
	county treasurer shall deposit in the tourism capital improvement
	fund the amount of money received under section 6 of this chapter
	that is generated by a one three and one-half percent (1.5%)

(4) (2) After December 31, 2009, the county treasurer shall

deposit in the tourism capital improvement fund the amount of



(3.5%) rate.

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1	money received under section 6 of this chapter that is generated	
2	by a two four and one-half percent (2.5%) (4.5%) rate.	
3	(c) The commission may transfer money in the tourism capital	
4 5	improvement fund to:	
	(1) the county government, a city government, or a separate body	
6	corporate and politic in a county described in section 1 of this	
7 8	chapter; or	
9	(2) any Indiana nonprofit corporation; for the purpose of making capital improvements in the county that	
10	promote conventions, tourism, or recreation. The commission may	
11	transfer money under this section only after approving the transfer.	
12	Transfers shall be made quarterly or less frequently under this section.	
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